IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLAT JURISDICTION
APPLICATION NO. 4591 OF 2004
IN
CRIMINAL APPEAL NO.52 OF 2004

GOUTAM RAJAN KAPUR ...Applicant.

V/s

THE STATE OF MAHARASHTRA ...Respondent.

Mr. Niranjan Mundargi for the applicant.

Mr. R.Y. Mirza, APP for the respondent - State.

CORAM: V.M.KANADE,J.

DATE: 25th October, 2004.

PC:.

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the respondent State.

2. Applicant is seeking cancellation of the warrant issued against him pursuant to the order passed by this Court on 16/03/2004, granting permission to the State to take action under section 390 of the Criminal Procedure Code. It is submitted that the applicant, at present, is in New Zealand and is likely to return back to India. It is submitted that the applicant has also preferred an appeal against the order of conviction. The State has also preferred an appeal for enhancement of the sentence. It is submitted that the applicant shall report to the Police as soon as he

comes back to India. He submits that the warrant may, therefore, be stayed. Under the circumstances, the warrant issued to take action which is taken under section 390 of the Criminal Procedure Code is stayed for a period of two months from today. Applicant shall immediately report to the Police on his return from New Zealand and execute the necessary bond before the Trial Court. It is made clear that after the requisite bond is signed, the applicant will be permitted to go back to New Zealand. However, he shall give his address and his contact numbers in New Zealand. Applicant shall remain in touch with the Police by Fax once in three months.

3. Application is accordingly disposed of.

V.M. KANADE, J.